Knowledge, evidence and learning for development

COVID 19 and the rights of members of belief minorities

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Question

To what extent is COVID 19 being used to undermine the rights of members of religious and belief minorities? The following countries are of interest: India, Pakistan, Sri Lanka, Iraq, Sudan and Nigeria.

Contents

1. Summary

This rapid literature review finds evidence of covid-19 having the effect of undermining the rights of, and leading to abuses of, members of religious and belief minorities, in India, Pakistan, Sri Lanka and Iraq, but limited evidence on the situation in Nigeria and Sudan. Covid-19 suppression measures have disproportionately affected structurally disadvantaged religious and belief minorities, and have been used to justify illiberal control measures. Religious and belief minorities have also been scapegoated and vilified in the traditional media, on the internet and by politicians and state authorities. However, there are gaps in the available data meaning it is not always possible to make firm conclusions about the link between covid-19 and discrimination.

The report focuses on violations and abuses of the rights of citizens to hold and practise their beliefs, discrimination against citizens on the basis of their religious or belief identity, and disproportionate effects of covid-19 measures on members of structurally disadvantaged minorities. It includes actions undertaken both by state and non-state actors. One of the main ways in which the rights of members of religious or belief minorities can be undermined by Covid-19 is through the clash of public health imperatives with religious practices. The right to express religious beliefs through rituals or practices is derogable for public health reasons. For instance, most agree that it is reasonable to ban or modify public gatherings, or certain burial practices in the face of disease outbreaks. However, public health measures may be used to undermine rights if applied in a discriminatory way (e.g. targeted at a particular religious group). Covid-19 may also lead to abuses of, or undermine the rights of, members of religious or belief minorities through discrimination, scapegoating, misinformation, hate-speech, boycotting and violent attacks.

All of these violations and abuses build on existing practices of discrimination, and many have been intensified by the pandemic. They all occur in contexts in which the state or other actors currently seek to exercise power through monitoring and controlling religion, creating hierarchies between majority and minority religions, even if they have a secular constitution (Tadros, 2020, p. 52). The Covid-19 pandemic therefore has intensified the disadvantages of minorities and has the potential to undermine their position in the longer-term. In some cases, the pandemic has worsened the situation of minorities by removing protection against attacks or curtailing livelihoods opportunities. In other cases, the pandemic has led to the scapegoating of already marginalised minorities. States have implemented discriminatory covid suppression laws in some contexts. There are also fears that the pandemic is giving states the opportunity to further illiberal policies and the use of surveillance technologies initially for Covid-19 monitoring but with the potential to be used against minorities and dissidents in future.

The main factors leading to members of religious and belief minorities' rights being undermined, or to abuses of religious and belief minorities, are:

- Public health measures being applied in such a way as to discriminate against religious and belief minorities;
- The use of Covid-19 to justify authoritarian powers that may be used to stifle dissent;
- Increasing majoritarian discourses and policies;
- The use of the internet and other media to scapegoat and vilify religious minorities;
- A failure to provide basic protection to religious minorities under attack;

- The disproportionate effect of Covid-19 suppression policies on structurally disadvantaged religious minorities.

The report first provides background information on the relevant rights to freedom of religion or belief, and the status of religious minorities. It discusses the ways in which this right may be violated or belief minorities discriminated against or abused, and provides historical and recent examples of religious minorities in disease outbreaks. It then discusses the evidence for each of the countries surveyed. The report finds:

- **In India**, Muslims have been vilified in traditional and internet media as a source of Covid-19 and have suffered attacks in consequence. Figures from the government have participated in this campaign. Disadvantaged minorities such as Muslims and Christians have been disproportionately affected by the loss of informal work and stigma. The government has also increased its authoritarian measures in Kashmir and Jammu since the Covid-19 outbreak, and it is feared that the outbreak will increase the country's majoritarian tendencies.
- **In Pakistan**, there has been scapegoating, hate speech and attacks aimed at Shia and Ahmadi Muslims, as well as the denial of food support or healthcare to these groups and Hindus and Christians. Sanitation workers, a largely Christian group, have faced stigmitisation and have had to work longer hours without adequate Covid-19 protection.
- **In Sri Lanka**, the government's covid-19 response has been used to further its anti-Muslim rhetoric. A number of covid-19 policies have discriminated against Muslims, including a law on burial.
- **In Iraq**, Covid-19 has had an effect on religious minorities such as Christians and Yezidis in the regions of the country formerly controlled by the armed extremist group Daesh. Many remain in IDP camps where covid-19 is leading to reduced services, and those outside camps are struggling with livelihoods and access to essential services.
- **In Sudan**, the report has found very limited evidence of the effect of Covid-19 on religious minorities. Following the change of government last year, the country began to remove laws against apostasy and Islamic laws applied to Christians. Covid-19 may increase opposition to these reforms or make them harder to implement, but there is no evidence as of yet.
- **In Nigeria**, there is no clear evidence that covid-19 has affected the patterns of discrimination against members of religious minorities. Attacks by Fulani herders on largely Christian communities have continued despite lockdown measures restricting movement and authorities have also continued to prosecute atheists and others believed to have 'blasphemed'. There is little evidence on the causal relationship between covid-19 and these attacks.

Because Covid-19 is relatively new and is ongoing, there are limitations on the available data and analysis. Much of the report is made up of news sources outlining particular incidents, with some discussion of broader trends. Minority Rights International note that there is a relative scarcity of disaggregated data on religious minorities in the global south (Al Saba, 2020). There are very few systematic academic reports available for the covid-19 outbreak and its effects on belief minorities, although there is some academic literature on previous disease outbreaks from which lessons can be drawn. For the country profiles, reports from human rights organisations and non-governmental organisations (NGOs) have been used alongside news reports. While

there is plenty of evidence of instances of abuses and possible rights violations, discussion of how covid-19 is affecting longer-term trends is necessarily somewhat tentative. News reports discussing attacks on religious minorities or measures to undermine their members' rights have been included. There is also some discussion on how these incidents play into existing conditions and future trajectories for belief minorities, although there is relatively little systematic evidence and discussion so far.

2. Background

Definitions

While the concept of religious or belief minority is the focus of this literature review, it is important to acknowledge that **the meaning of a religious minority differs by context and by the minority in question**. The status of a minority will differ in states where the minority is relatively small, compared to states where a minority may rival the majority in population size, or where it may constitute a majority in certain parts of the country (as with Christians and Muslims in south and north Nigeria, respectively). The status of the minority may be subject to different perceptions – some Hindu nationalists see India's Muslim population not as a minority in India, but part of a global majority (compared to Hinduism). And while the focus of the report is on religious minorities, it is important to emphasise that these populations' experiences will also be shaped by their economic, professional, caste, and other statuses.

According to UNHCR, 'no definition has been agreed internationally on what constitutes a minority. The term refers to an ethnic, religious and linguistic group, fewer in number than the rest of the population, whose members share a common identity.'[1] While the report uses the term religious minorities, it is important to recognise that its meaning varies by context. In particular (Tadros, 2020):

- There is diversity of belief and practice within all religions, which sometimes give rise to tensions and conflicts.
- Minorities are not always recognised. Minority status can confer certain protections, but also 'create incendiary fault-lines'. It may be offensive. For instance, in Pakistan, a minority is defined as non-Muslims. The labelling of Ahmadi Muslims as minorities therefore supports the state's position that Ahamadis are not Muslims, which is deeply offensive to Ahamdi Muslims, affects their status in law, and increases attacks against them.
- A group that is in the minority nationally may also be a majority in a particular region of that country (as for Christian and Muslims in southern and northern Nigeria, respectively), or in another country (as Muslims are a minority in India, but in the minds of Hindu nationalists are a majority globally). This alters the perceived balance of power (see also Devji, 2020).
- Labelling as a 'minority' does not necessarily represent the nuances of an individual or group's status in society.

[1] https://emergency.unhcr.org/entry/44031/ethnic-religious-and-linguistic-minorities-and-indigenous-peoples

The notion of religious minorities as a form of social difference has a specific history, and varies between contexts. In India and Pakistan, 'the disempowering term minority, long rejected by all those who could do so, has come to define religious communities specifically', as opposed to identities such as caste (Devji, 2020). It is therefore important to recognise the explicit and implicit ways that religious minorities are perceived, and consequently the ways that attacks against their rights are framed.

It is also worth emphasising that religious minority status is often linked with other categories of identity. For instance, women may be marginalised by the intersection of gender, religious affiliation, and class, and may therefore experience things differently from both men within their religious group, and women from other religious groups (Tadros, 2020). In Pakistan, caste is defined as Hindu, despite the fact that some violence against low-caste Christians, for instance, is 'explicitly caste-defined' (Devji, 2020, p. 174).

Undermining the rights of members of religious minorities should be understood in the context of the 'governmentality' of targeting. Governments and other actors use religious 'othering' to control minorities, or as a form of tactical opportunism. This may occur through formal mechanisms such as laws targeting a religious group, or informal mechanisms that are not the result of any law or policy. However, informal actions, such as the sexual grooming of the children of a minority may be 'facilitated through the formal exercise' of legal frameworks (Tadros, 2020, pp. 52–53). For example, Devji (2020) highlights the importance of numbers in the 'social imagination' of majority and minority, with religious minorities often conceived of as a demographic threat. Majoritarian leaders may seek to limit the size and influence of a minority in the hope of creating homogeneity. In the case of covid-19, religious minorities may be portrayed as a threat as a form of scapegoating to deflect from failings of the state and foster unity among the majority (Woods et al., 2020).

Several international rights agreements include freedom of belief or address discrimination against members of belief minorities. For example, freedom of religion of belief is addressed by the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights and the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, among other international agreements (Fuchs & Fuchs, 2020; Ispahani, 2018).[2] A summary of rights instruments, international agreements and guidelines related to freedom of belief can be found here.[3]

Violations of the rights of members of religious minorities may also take the form of discrimination against members of a particular group defined by a belief, even if the act of discrimination does not attack the belief itself or practices associated with it. For example, a religious group may be stigmatised and denied access to medical treatment. This applies to a number of religious groups in the countries covered in this literature review. While this review focuses on religious or belief minorities, it is important to note that in many contexts a religious or belief identity is strongly conflated with other identities such as caste or ethnicity.

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[2] https://www.ohchr.org/en/issues/freedomreligion/pages/standards.aspx; https://www.ohchr.org/Documents/Issues/Religion/RapporteursDigestFreedomReligionBelief.pdf

[3] https://www.forb-learning.org/in-more-depth4.html

It is recognised that belief minorities 'are often discriminated against and in some societies are marginalised socially, economically, politically and culturally.'[4] The UN Special Rapporteur on Freedom of Religion or Belief (2020) states:

> For persons belonging to religious or belief minorities, however, their exclusion - where it exists - is often beset by systemic and systematic denial of both their existence and their identities. Their marginalization is reinforced by the resulting challenges in accessing essential services, resources and opportunities they face at the hands of majorities, official state structures and even from members in their own communities. Increasingly, evidence suggests that if left unchecked, such discrimination and inequality can precipitate poverty, conflict, violence and displacement. In the most egregious cases, the very survival of some minority religious or belief groups can be placed at risk. The consequences of leaving such populations behind are stark.

That is to say, such marginalisation does not always take the form of undermining rights to certain beliefs or practices, but nevertheless is based on the minority's belief-based identity.

For the purposes of this review, **undermining rights may take the form of restrictions on certain beliefs and practices, such as religious gatherings, policies applied in a discriminatory way against religious or belief minorities, or rhetoric targeted at religious or belief minorities**. This refers to actions such as banning gatherings of one religious group but not others; actions affecting belief minorities that are not supported by public health justifications. Actions taken without due consultation or consideration of their effect on belief minorities may also be considered to discriminate against members of belief minorities, although such an interpretation would be dependent on the circumstances and actions taken (Ripoll, 2020). The UN Special Rapporteur on Freedom of Religion or Belief highlights a number of direct and indirect ways by which freedom of belief may be restricted in law or policy. These include (Special Rapporteur on Freedom of Religion or Belief, 2020, p. 5):

- 'restrictions on the establishment of places of worship and the forced closure of same; maintenance of humanitarian institutions and associations; the appointment and persecution of faith leaders; the celebration of holidays and ceremonies; teaching of religion or beliefs; and the use of materials related to the customs of a belief'; anti-blasphemy laws, use of laws against provoking religious offence, or use of laws for 'public order' without sufficient justification and when targeted against distinct minorities or beliefs.
- 'inchoate terrorist offenses that are disproportionately applied to religious or belief minorities'
- making it difficult for members of religious or belief groups to access legal documentation necessary to prove their identity and status, and access services.
- States not undertaking their 'positive obligation to provide a minimum standard of protection for the lives, integrity and personal security of religious or belief minorities and incur responsibilities to take special measures of protection where their lives have been placed at particular risk because of specific threats or pre-existing patterns of violence '

[4] https://emergency.unhcr.org/entry/44031/ethnic-religious-and-linguistic-minorities-and-indigenous-peoples

- A failure to enforce freedom of belief may foster the legitimisation of violence against religious minorities.
- 'Dehumanizing and/or vilifying rhetoric assists such leaders advance exclusionary policies that create deep inequalities which in turn bolster supremacist and sectarian ideologies that claim lives.'
- Undermining security of tenure or violating land rights, or theft, also threaten religious minorities

There is some scope to limit human rights for public health reasons, although this must be justified. Meier et al., (2020) state that 'international Health Regulations (IHR), the principal international legal framework governing infectious disease control, are designed to promote global health security while respecting human rights imperatives'. Some rights are deemed to be derogable in public health emergencies. However, guidance is required to elucidate this clearly to prevent governments using emergencies as a pretext to suppress fundamental rights. International Health Regulations were revised in 2005 to include human rights following violations carried out in tackling the SARS outbreak (Meier et al., 2020).

It is agreed that international health regulations (IHR) can only restrict some activities. The internal dimension of freedom of belief – the right to adopt or change a belief – has absolute protection under international agreements and cannot be subject to limitation clauses. The external dimension – the right to practise one's belief – may be limited if the limitation: is prescribed by law; pursues the purpose of protecting public safety, public order, public health or morals, or the fundamental rights and freedom of others; is necessary for the achievement of one of these purposes and proportionate to the intended aim; and is not imposed for discriminatory purposes or applied in a discriminatory manner' (OSCE/ODIHR, 2020, pp. 116–117). In discussing the potential violation of rights under pandemic prevention measures, Human Rights Watch argues that lockdown curbs on movement or association should not discriminate against certain groups on the basis of religion or any other similar criteria. States should work to ensure there is no stigma and discrimination against marginalised groups. Health facilities should also maintain confidentiality of patients to help ensure minorities or individuals are not stigmatised. States should also ensure that marginalised groups can access healthcare without discrimination (Human Rights Watch, 2020a).

In some interpretations, public health measures can have the effect of discriminating against religious minorities even if the measures themselves are justifiable according to rights law. Certain public health measures may be incommensurable with religious systems of thought. In some cases 'supposedly "technical" and secular policy regarding death and burials in an epidemic, when it is devised without the participation of minority groups or without due consideration, may discriminate against religious minorities. This is particularly salient when policymakers consider the trade-offs between public health goals and the continuation of customary religious practices' (Ripoll, 2020, p. 26). It is therefore advised that policymakers consult religious leaders in order to try and find as much common ground as possible and minimise disruption to religious practices, although it should be recognised that in some cases agreement may not be reached.

Global reports

In response to the covid-19 pandemic, many governments have instituted restrictions on movement and increased surveillance, among other things, in order to suppress the pandemic. This has the potential to violate fundamental rights.

In practice, such public health measures may disproportionately affect minority groups (Meier et al., 2020): 'while the IHR require health measures to be applied in a non-discriminatory manner, many national responses to the pandemic are grounded in racism and xenophobia. Non-discrimination is a foundational principle of international human rights law, wherein all people are entitled to the equal enjoyment of rights, but many leaders have invoked nationalist rhetoric in the pandemic response, resulting in stigma, discrimination, and violence that sows division and undercuts public health' (see also: WHO, 2020).

The UN Special Rapporteur on Freedom of Religion or Belief reports that 'religious and ethnic minorities have been rendered particularly vulnerable to higher rates of COVID-19 infection and mortality, to harsh treatment by law enforcement in the context of emergency measures, and to unequal access to adequate medical care' (Special Rapporteur on Freedom of Religion or Belief, 2020). A V-Dem report also documents violations of freedom of religion and anti-covid measures disproportionately affecting religious minorities (Edgell et al., 2020; see also OHCHR, 2020, p. 9). An OCSE report points to 'toxic narratives' about minorities being to blame for covid. It has worsened existing discrimination and made it hard for some religions to 'manifest their freedom of religion or belief (e.g., wearing distinctive religious clothing)' (OSCE/ODIHR, 2020, p. 117). A recent discussion on nationalism and covid-19 points to the potential of covid-19 to amplify attacks against minorities, as well as to lead to more unity and inclusion (Woods et al., 2020). A Freedom House report on the effect of covid-19 notes that 25% of experts surveyed 'reported new or increased restrictions on ethnic and religious minorities in their country of focus' (Repucci & Slipowitz, 2020). Evidence suggests that religious minorities are seen to be at greater risk of losing their jobs and catching covid (Rohwerder, 2020, p. 29). They are also at greater risk of being abused, harassed or discriminated against (Rohwerder, 2020, p. 30; Sarkar, 2020). A Minority Rights report documents discriminatory lockdown measures being put in place across the world (Al Saba, 2020, pp. 8–9).

The undermining of rights is being carried out using communications technologies in many instances. Many governments have begun surveilling and tracking citizens as a way of minimising the spread of covid. Such actions have the potential to undermine the liberties of individuals. For example, a recent report notes the use of surveillance on dissidents or minorities in Pakistan (Al Saba, 2020, pp. 10–11). Many religious groups have replaced their traditional group services with online versions. However, there are fears that online services may put some individuals at risk of being identified by governments hostile to their belief (OSCE/ODIHR, 2020, p. 117).

As a consequence, the potential for covid to be used to undermine the rights of belief minorities has been recognised and denounced by governments, human rights organisations and minority rights organisations.[5] A letter from rights organisations calls for an end to internet shutdowns in

[5] https://www.csw.org.uk/2020/04/21/feature/4619/article.htm;

India, Pakistan and elsewhere because 'the risks for minority groups are being compounded, as they are denied access to the health information on COVID-19 provided by the WHO and other experts that could save their lives' (KeepItOn coalition, 2020).

Evidence from previous disease outbreaks

Historical examples provide some evidence on the dynamics of scapegoating of minorities. During the 'Black Death' outbreak of bubonic plague in the fourteenth century, Jews were scapegoated, massacred and expelled from their homes. Jadwab et al's (2020) study is based on data from 363 European cities with a Jewish population during the Black Death, and **demonstrates the role of negative shocks in increasing persecution of minorities**. The authors point to three factors in particular: **false rumours** (in this case the belief that Jews were poisoning the wells); **a history of antisemitic sentiment**; and **timing** (if the plague struck 'during a religious holiday that primed people towards antisemitism') (Rémi Jedwab et al., 2020). However, the authors also point to a 'complemantarities effect' whereby Jews with commercial ties to the majority population or offering specialised services were less likely to be persecuted (Rémi Jedwab et al., 2020). **This suggests that economically marginalised communities, who have already been persecuted or demonised, such as many of the religious minorities in this study, are less likely to be spared persecution in times of crisis.**

Analyses of multiple disease outbreaks show a more mixed picture. Cohn surveys data on numerous pandemics and hatred of minorities from antiquity onwards. He concludes that **'pandemics did not inevitably give rise to violence and hatred'** and in some cases led to greater social cohesion (Cohn, 2012). He argues that the scapegoating and hatred of minorities seen in the Black Death and several other disease outbreaks were 'exceptions but hardly the rule' (Cohn, 2012). **A recent meta-analysis of scapegoating in disease outbreaks identifies several factors that may encourage social conflict** (Remi Jedwab et al., 2020): '(i) when they are highly lethal; (ii) when they have distressing symptoms; (iii) when mortality rates are disproportionately higher for young children than for working-age adults or the elderly, possibly due to the behavioural response it triggers from parents and society; (iv) at “intermediary” levels of knowledge of the mechanisms by which the disease transmits, i.e. when the disease is neither attributed to supernatural causes nor yet fully understood by the medical community, authorities, and populations; (v) when intergroup tensions were already rife before the pandemic; and (vi) when authorities encourage, or allow, scapegoating or implement heavy-handed policies that lead to distrust within the population.' The authors argue that a 'mild scapegoating scenario', whereby scapegoating does not necessarily lead to violence, is likely for covid-19. However, in areas where 'tensions are rife', it is much more likely to turn violent (Remi Jedwab et al., 2020).

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https://www.government.nl/documents/diplomatic-statements/2020/08/20/covid-19-and-religious-minorities-pandemic-statement;

https://www.ippforb.com/newsroom/2020/06/29-parliamentarians-must-act-to-protect-freedom-of-religion-or-belief;

https://news.un.org/en/story/2020/08/1070802;

https://news.trust.org/item/20200324141217-not5s

Existing intergroup tensions and authorities that encourage or allow scapegoating are prevalent in many of the countries covered in this review.

Anthropological analysis emphasises the different belief systems underlying public health and religious logics, but also the potential positive role of consultation and participation. Bans on certain practices for the sake of public health may infringe religious rights. For example, funerary practices have been banned in previous disease outbreaks (Ripoll, 2020). Public health authorities suggest the best ways for bodies to be disposed of, based on scientific evidence of the best ways to avoid contagion, but which can clash with 'alternative narratives of life, death, and the afterlife' held by many belief traditions (Ripoll, 2020, p. 10). While it is allowable under international human rights law to derogate certain religious rights for the sake of public health, Ripoll shows that 'cloaked in the language of public health, the banning of particular practices may discriminate against particular religious minorities, thereby exacerbating religious inequalities in the country, or in some contexts it may be used to repress minority religions' (Ripoll, 2020, p. 15). This may take several forms. Case studies show:

- In Liberia, during Ebola, cremation was made mandatory for public health reasons. While it was not unreasonable to implement rules on burial to reduce the potential for Ebola transmission, the way that the rules were implemented had the effect of undermining the rights of religious groups. Religious leaders were not consulted and the government made it an offence to hide bodies. Bodies were to be taken away from houses by 'safe burial teams' and put in unmarked graves. Both Christians and Muslims rejected this as for both groups, 'appropriate care of the body and interment through the necessary funerary rites is necessary to send the spirit of the loved one off to the afterlife appropriately and to enable them to join the ancestors', and the rituals are necessary for the community. Some religious leaders were willing to accept cremation, if they were allowed to attend ceremony, but as the government did not consult leaders, this was not an option. Many therefore undertook secret burials for religious reasons or because the government failed to deal with the dead bodies. This was a violation of religious rights, as well as emotionally damaging to many Liberians. Since then, training for burial teams and communication with religious leaders and health authorities have improved the situation.
- In Madagascar, during an outbreak of bubonic plague, the government ruled that plague victims could not be buried in tombs that could be reopened, and bodies could not be exhumed until seven years after death. This created conflict with many citizens who practise *famadihana* (the turning of the dead), where the deceased's bones are removed from the grave and honoured by the family. As the rule was not being followed by many, the health authorities engaged in consultation and developed a new protocol, which allowed some of the elements of *famadihana* but modified the ritual to reduce the risk of plague transmission. However, the modifications have not been entirely successful and *famadihana* continues. This shows that religious and health practices are incommensurable: 'funeral practices cannot be broken down into interchangeable pieces to exchange between the realms of health and religion, removed from their symbolic context where they have their own efficacies and affordances'.

3. Country examples

India

India is a diverse country with a constitution that protects its many languages, cultures and religions. However, there are tensions between religious groups and in recent years the government has advanced an agenda of Hindu nationalism that includes discriminatory policies towards the Muslim minority in particular. According to recent figures, 'Hindus constitute 79.8 percent of the population, Muslims 14.2 percent, Christians 2.3 percent, and Sikhs 1.7 percent. Groups that together constitute less than 1 percent of the population include Buddhists, Jains, Zoroastrians (Parsis), Jews, and Baha'is' (Tadros, 2020).

It has been argued that the government is using covid-19 as a pretext to remove protections for religious minorities and advance its majoritarian agenda. A Freedom House report asserts that India is the 'most prominent example' of a government demonising religious minorities (Selsky, 2020). Covid-19 has led to 'a further erosion of India's pluralism and democratic credentials' (Gupta, 2020).

The government of India has 'intensified' restrictions in the Muslim-majority Jammu and Kashmir. Since the pandemic begun, the government has changed the domicile law in Kashmir and Jammu, which protects the Muslim-majority status of the region, apparently to allow more non-Muslim settlers to become domiciled, which is seen as a move to undermine the position of Muslim Kashmiris (Slipowitz, 2020). Indian authorities have recently increased raids on civil society groups in Jammu and Kashmir under the Unlawful Activities (Prevention) Act (UAPA) and Foreign Contribution (Regulation) Act (FCRA). The Acts have been criticised for criminalising 'religious minorities, political dissidents and human rights defenders' (Amnesty International, 2020a). It has also done little to ease restrictions on the population, and 'the authorities have only barely complied with Supreme Court orders in January to treat access to the internet as a fundamental right, permitting only slow-speed 2G mobile internet services' (Human Rights Watch, 2020b). This makes it hard for citizens in the area – largely Muslims – to access healthcare, education, information and necessary goods online (KeepItOn coalition, 2020).

Following the covid-19 outbreak, the government has indefinitely postponed its controversial national population register, which many argue is intended to strip Muslims of their citizenship rights (Human Rights Watch, 2020c). Prior to covid-19, India's current government enacted discriminatory policies against minorities including the 2019 Citizenship Amendment Act, which applied religious criteria to the fast tracking of citizenship for migrants, excluding Muslims (Maizland, 2020).

Nevertheless, changes instituted during the pandemic may undermine the rights of religious minorities in the longer-term. There is evidence that the 'institutions that could provide a check against Hindu nationalism' are under threat (Slipowitz, 2020). A judge who pushed to investigate anti-Muslim hate speech and the role of police in anti-Muslim riots was transferred. Covid-19 has also seen protests at discriminatory measures dispersed, and the delay of legal challenges to the discriminatory Citizenship Law (Slipowitz, 2020). Many Muslims also fear that the data collected for covid-19 tracking will be used to inform efforts to disenfranchise and detain Muslims (Desai & Amarasingam, 2020, p. 24). There are also fears that India and other countries may purchase or imitate coercive Chinese surveillance technology

currently being used to monitor Muslims in Xianjiang, Christians, and Tibetans, among others. Facial recognition technology and a traffic light system are being used to control movement, ostensibly to limit the spread of covid-19, but many fear it will also be used to target perceived enemies of the state such as religious minorities (CSW, 2020).

Most commentators point to covid-19 exacerbating divisions rather than fostering unity in India. It is argued that 'the current pandemic has amplified existing social and economic divides manifesting as frequent discrimination against religious minorities and lower castes' (Mukherjee, 2020). The government has framed the pandemic along nationalist, Islamophobic lines (Ramasubramanyam, 2020). Both media outlets and figures from India's ruling BJP party have blamed Muslims for spreading covid-19 (Mathur, 2020; Stone, 2020). A Middle East Institute article argues that Islamophobia has become normalised across different social groups, partly because pro-government media have spread anti-Muslim rhetoric (Kapur, 2020). One reason for this is that scapegoating deflects from criticism of the government's covid response (Kapur, 2020).

The government and the ruling BJP party have used divisive rhetoric to focus blame on Muslims. In March 2020, members of the ruling party focused on criticising a meeting of the ruling Tablighi Jamaat party in Delhi as a source of covid, with terms such as 'Coron Jihad' used on the internet by members of the ruling party (Kapur, 2020). The group's leader was initially charged with holding a meeting contrary to the ban on gatherings, but was later charged on culpable homicide (‘Coronavirus | Tablighi Jamaat Centre Chief Faces Culpable Homicide Case’, 2020). By contrast to the media and government focus on the Muslim gathering, other religions whose members have gathered have not attracted the same attention, including the Ram Navami festivals attended by the Chief Minister or Uttar Pradesh on 2 April 2020 (Desai & Amarasingam, 2020). After the event, government covid-19 briefings emphasised its role in increasing the transmission rate, and discussed it at greater length than topics including personal protective equipment, testing strategies, and community transmission (Desai & Amarasingam, 2020, p. 15). More than 3000 members of Tablighi Jamaat were forced to spend more than 40 days in quarantine - well over the recommended period (Sarkar, 2020). Desai and Amarasinham (2020, p. 17) argue that states governed by the ruling BJP party have been more divisive in the way they talk about the virus than other states. However, there are signs that the government has also sought to limit the tensions: the *New York Times* reports that 'sensing the backlash against Muslims, India’s health ministry has stopped blaming Tablighi Jamaat at public briefings' and the Prime Minister has since called for unity (Desai & Amarasingam, 2020, p. 18; Gettleman et al., 2020; Gupta, 2020).

An analysis of debunked news stories on Indian digital media shows that misinformation portraying Muslims as spreaders of the virus was one of the most prevalent themes. As trust in mainstream media declines and avenues for unverified news increase on the internet, misinformation has the potential to inflame communal tensions (Desai & Amarasingam, 2020, p. 7). In a recent study, researchers categorised the 1173 unique stories in Indian digital media that had been fact-checked and debunked between January and May 2020 (Akbar, Panda, et al., 2020). Following the Tablighi Jamaat story in March, Muslim-related stories, centring on Muslims as carriers of covid-19, became the main forms of misinformation identified in the study. It was found that Muslim-related tweets generated more retweets than other 'cultural' issues (Akbar, Panda, et al., 2020). Moreover, a smaller study by the same researchers 'mainstream news sources have been particularly complicit in Muslim-baiting' (Akbar, Kukreti, et al., 2020),

suggesting establishment complicity in this scapegoating. Analysis of television and newspaper coverage also shows that unverified claims, misinformation and narratives that unfairly emphasised the Tablighi Jamaat case have dominated ((Desai & Amarasingam, 2020, p. 21).

Another analysis of the rhetoric surrounding the Tablighi Jamaat events argues that it can be divided into four categories: 1) as contaminated/contaminating, 2) as "uncivilised," 3) as deceptive, and 4) as anti-national jihadists or terrorists' (Desai & Amarasingam, 2020). The report documents social media posts suggesting that Muslims believe they are immune from covid-19, that it is divine punishment, and that Muslims are deliberately spreading it. The authors argue that this **rhetoric has encouraged discrimination, physical violence and boycotts** (Desai & Amarasingam, 2020).

Anti-Muslim feeling has led to a number of acts of discrimination. There were anti-Muslim riots in Delhi following the Tablighi Jamaat gathering, and the riots were supported by leaders of the ruling BJP party and spread by the internet and TV (Nazeer, 2020). There are reports of increased attacks on Muslims following covid-19 rumours (Desai & Amarasingam, 2020, pp. 21–22). There is evidence of posters saying 'no Muslims' in shops and elsewhere (Nazeer, 2020). Boycotts of Muslim traders have threatened the livelihoods of the many Muslims working in the informal sector (Desai & Amarasingam, 2020, p. 22). Muslims have also been discriminated against in access to healthcare. There are reports of separate wards for Muslims in an Ahmedabad hospital.[6] In some places, Muslims have been refused tests and treatment (Arockiasamy, 2020).

Covid-19 has also amplified existing inequalities disproportionately affecting religious minorities. Sanitary workers are often forced to work without personal protective equipment (PPE). 50% of India's ten million sanitary workers are Christian. Christians are denied the state benefits given to other low-caste Indians (Arockiasamy, 2020; WaterAid, 2020).

Pakistan

Pakistan's constitution and penal code features language that results in 'Pakistanis who belong to religious minorities are rendered more vulnerable by their religious affiliation and the resulting precarious status of their citizenship' (Fuchs & Fuchs, 2020; Ispahani, 2018). The constitution excludes Ahmadi Muslims specifically. Pakistan has discriminatory legislation such as blasphemy laws and discriminatory adverts asking for low-paid workers to be 'non Muslim', for example.[7] Around 96% of the country's population is Muslim. Of this, 15-20% is made up of Shia (Hazara, Ismaili and Bohra). Ahmadi Muslims account for around 500,000. Christians, Sikhs, Hindus and others make up around 4% of the population (US State Department, 2019).

In Pakistani society, religious status is often intertwined with caste, poverty and gender. For example, Hindus and Christians are expected to take on lowest paid, most dangerous and most stigmatised work such as sanitation and cleaning, and are labelled as 'Chuhra, a stigmatised term representing a source of impurity and pollution' (Tadros, 2020, p. 22). The

[6] https://scroll.in/latest/959274/covid-19-separate-wards-for-hindu-and-muslim-patients-made-in-ahmedabad-hospital

[7] See also https://appg-ahmadiyyamuslim.org.uk/briefings/anti-ahmadi-laws/

abduction and forced conversion of Hindu and Christian women from poor families is also common, and is facilitated by the judiciary (Ochab, 2020a; Tadros, 2020, pp. 31–32).

Manifestations of discrimination against Pakistan's religious minorities have occurred since the onset of covid-19, but there is no evidence that it has been caused by the covid-19 situation. Since the pandemic, more than 50 Shia Muslims have been charged under blasphemy and antiterrorist laws. In addition, Shia Muslims have been beaten up by police and a 30,000-strong march has called for Shias to be beheaded (S. M. Baloch & Ellis-Petersen, 2020; Minority Rights International, 2020b). It is not clear whether the increase in anti-Shia rhetoric and violence can be said to have been caused or enabled by the pandemic or not.

Some groups have received unfair treatment. During the pandemic, Christian sanitation workers have worked without adequate personal protective equipment (PPE), for long hours and without recognition (WaterAid, 2020). While these workers have faced health hazards due to inadequate protection since before covid-19, they have not been sufficiently equipped with PPE for covid-19. Christians make up 75-80% of sanitation workers, who are often stigmatised for their work and their low-caste origins (Aqeel, 2020). In some cases, Christian sanitary workers have been sent into quarantine centres to care for patients when doctors had refused to do so on the grounds of not having enough PPE (Aqeel, 2020).

There is evidence of religious discrimination by the general public, welfare organisations and public institutions. These include (Mirza, 2020; Stone, 2020):

- Twitter campaigns linking the virus with Ahmadi, Shia or Christian Pakistanis.
- In Lyari, the Saylani Welfare Trust (SWT) refused to give ration bags to Hindus.
- Christians were denied rations in Karachi's Korangi area.
- A refusal to treat Hazaras in some hospitals (Aman, 2020).

In addition to this, government officials have discriminated against Hazaras (Mirza, 2020):

- The inspector general of police in Balochistan issued to notice to ask members of the Hazara community (mainly Shia Muslims) to leave.
- The Chief Secretary of Balochistan announced that Hazara areas would be secluded from the rest of Quetta city.

In addition to unfair and dangerous treatment, religious minorities have been scapegoated. This has the effect of making violence against them more likely. Hazaras have particularly been scapegoated as the source of covid-19 (Stone, 2020). After returning from Iran, Hazara Shia pilgrims were quarantined beyond the recommended 14 days and given little information or medical care. Other travellers were not detained. They were kept in quarantine centres in poor conditions – without medical staff or sufficient washing facilities (Sultan, 2020).

The All-Party Parliamentary Group for Ahmadiyya Muslim Community reports a number of attacks against Ahmadi Muslims during the covid-19 pandemic (APPG, 2020b, p. 67):

- Social media users as well as traditional media outlets have 'made a public call to name any Ahmadi Muslim who was taking part in the Government's COVID-19 relief efforts, thus becoming an open target of hate and violence by extremists'.

- The grave of an Ahmadi Muslim was attacked by a group of 50 including clerics and members of the police.
- An Ahmadi site for funeral prayer was desecrated by a group including police and clerics.

This would suggest that there are efforts to use covid-19 as an excuse for further vilification of the Ahmadi Muslim minorities.

It is likely that the economic effects of covid-19 will make it harder for countries such as Pakistan, already reliant on Chinese trade or investment, to speak out against China's persecution of Uighur Muslims (Su et al., 2020). Pakistan has already defended China's actions against the Uighurs and covid-19 will make it less likely to want to alienate an important support for its economy and security policies.

Some anti-covid measures have the potential to undermine minority rights in the longer-term. Covid-19 is being used to increase digital surveillance and the government's ability to block views it disapproves of. This is likely to particularly affect dissidents and minorities (Minority Rights International, 2020a). In Pakistan, the Citizen Protection (Against Online Harm) Rules 2020 have given 'authorities access to social media data and the ability to block content', while Cell Site Location Information (CSLI) and Call Details Record (CDR) technologies can be used 'to access the personal data of citizens from their cell phones and send out Covid-19 messages' (H. Baloch, 2020).

Sri Lanka

The Buddhist-majority country has taken a number of measures in its fight against covid-19 that disadvantage or stigmatise its Muslim minority. This is a continuation of its 'majoritarian policies' that have recently shifted from focusing on ethnicity to religion (Kapur, 2020; Ripoll, 2020, p. 23). In response to covid-19, Sri Lanka's prime minister, Mahinda Rajapaksa, declared a state of emergency, which has lead many to worry about citizens' rights (Ripoll, 2020). The appointments and messaging from the government have not been encouraging with regards to the rights of minorities. For instance, the country's covid-19 response is being led by an army chief who faces 'credible allegations of war crimes' in the recent civil war and the head of the covid taskforce has made remarks suggesting that covid is particularly linked with Muslims (Human Rights Watch, 2020d).

Many measures are likely to disproportionately affect Muslims. A working paper on the intersection of public health and religious rights argues that Covid-19 may well 'be instrumentalised to promote discrimination against religious minorities in favour of exclusivist nationalist agendas' (Ripoll, 2020). A number of policies and incidents suggest discrimination on the basis of religious identity:

- Human rights groups are concerned that a government order of 1 April to arrest those who criticise officials or spread what is deemed to be fake news about the pandemic will particularly affect Muslims and other minorities (Human Rights Watch, 2020e).
- There is an 'anti-Muslim discourse portraying the ethnic minority community as irresponsible in its conduct in the pandemic as well as allegations of organized spreading of the virus' (Tennakoon, 2020).

- Attacks on Muslim sites have not been stopped by security forces, and have continued during covid (Ripoll, 2020).
- The food and income support offered by the government is reported to have bypassed certain populations (Ripoll, 2020).
- Muslims have been racially profiled as 'high risk' (Ripoll, 2020).
- Two Muslims who have spoken out against anti-Muslim discrimination have been detained without due process (Ripoll, 2020).

One incident in particular has been seen as undermining the rights of religious minorities. The government instituted guidelines insisting on the cremation of dead bodies, which has been seen as an attack on the Muslim minority in the country (Ripoll, 2020). Although WHO guidelines on covid-19 deaths allow for both cremation and burial, and note that there is no evidence to suggest contact with the bodies of covid victims brings a risk of infection, the government changed its guidelines on 31 March to allow only cremations. No other country has implemented this policy. It has been reported that authorities coerced the deceased's family into agreeing to cremation (Selsky, 2020). As a result two Muslims were cremated, which 'is deemed as a form of mutilation' and contradicts Islamic practices (Amnesty International, 2020b; Kapur, 2020). The decision may have been pushed by 'Sinhala-Buddhist hardliners' keen to send the message that Muslims are second-class citizens; it also may have been used as a form of scapegoating as the 5 August election approached (Kapur, 2020; Stone, 2020).

Iraq

Iraq remains affected by sectarian tensions between Sunni and Shia Muslims, and smaller minorities such as Christians, Yezidis and Baha'i remain disadvantaged. Around 97-99% of the population is Muslim, with Shia Muslims constituting around 60% and Sunni 40% (Tadros, 2020). Before Daesh's advance, there were an estimated 350,000 Christians in Iraq, 500,000 Yezidis, 200,000 Kaka'i, less than 5,000 Sabean-Mandaeans and a small number of Bahá'i.[8] The country has become more hostile to religious minorities for a number of reasons. In recent decades, Iraq's Christian population has fallen significantly as Christians have emigrated due to persecution and lack of opportunities (Haider, 2017; Ochab, 2020b). Sectarian violence following the American invasion, and Daesh's attacks on religious minorities have worsened the situation (Haider, 2017).

The unresolved legacy of Daesh's attacks on religious minorities means they are being hit particularly hard by covid-19. At the height of its power, the non-state armed group (NSAG) targeted religious minorities. It still threatens minority populations but even where it does not, its legacy of religious persecution still affects religious minorities. Minorities targeted by Daesh remain in internally displaced persons (IDP) camps or separated from their families. An International Organisation of Migration report from July 2020 states that up to 200,000 Yazidis were displaced, but that more were returning to their homes rather than face isolation in IDP camps restricted by covid. However, regions to which they have returned such as Sinjar were particularly badly hit by Daesh attacks and lack infrastructure such as roads, schools hospitals,

[8] https://minorityrights.org/country/iraq/

shelter, water, sanitation, and hygiene (WASH) services, and livelihoods opportunities (IOM, 2020). Social barriers to reintegration also remain (Yasar & McGee, 2020). Religious minorities who were attacked by Daesh are therefore much more likely to be vulnerable to covid.

Moreover, Daesh has been increasing its attacks to capitalise on security weakness brought about by covid-19. The Iraqi president has recommended that minorities in the region evacuate from villages or form security forces (Ochab, 2020b). Shia Muslims have also been the victims of increased Daesh violence since covid-19 began (Shia Rights Watch, 2020).

The economic effects of covid-19 will disproportionally affect religious minorities because of their structural disadvantages. Daesh seized land belonging to Yazidis, Christians and Shias. Although the property transfers are not recognised by the Iraqi government, in practice the new occupiers have often not vacated, or the property has been taken again by the forces who defeated Daesh. Measures brought in to fight covid have restricted both economic activity and the work of courts which might have allowed minorities to reclaim their property, meaning they are particularly vulnerable to loss of livelihoods (NRC, 2020).

Iraq's minorities have been affected by covid-19 in a number of ways, such as lost livelihoods and lack of access to services, driven by their structural disadvantages. Many of these difficulties are also faced by Iraqis not attacked for their religious beliefs. For example, survivors of Daesh attacks, who are not exclusively religious minorities, are struggling to access mental health support because of covid-19 restrictions (Amaar Aziz, 2020c).

Sudan

There is very little research or news on the effect of covid-19 on religious rights in Sudan. It is worth noting however that conditions for religious freedom improved significantly following the fall of Omar al-Bashir in summer 2019 although the country remains on the US Department of State's Special Watch List (USCRIF, 2020). Sudan's government announced that its apostasy law, which makes renouncing Islam illegal, will be scrapped. Laws banning the selling and drinking of alcohol for non-Muslims are also being scrapped. This will allow greater freedom of belief for Sudan's non-Muslim minority.[9]

There is limited evidence for the effectiveness of the reforms yet. They only provide partial freedom of religion so far, as some discriminatory laws, such as an anti-blasphemy law and public decency laws, remain, however, and there is some clerical opposition to the secular reforms (Humanists International, 2020b). Issues around church registration and confiscated property remain to be resolved (Open Doors UK, 2020). Most significantly, there are worries that those who convert from Islam face opposition from their families. There are reports of Christians not receiving food or support during covid-19. While the law against apostasy has been scrapped, these reports suggest that in some areas communities are rejecting individuals who convert from Islam and not offering any support (*Christians in Sudan, Asia Ordered to Renounce Faith or Lose Coronavirus Aid*, 2020; Holtam, 2020). The Catholic Archbishop of Khartoum has stated 'three decades of religious oppression created social stigma among different communities

[9] https://www.bbc.co.uk/news/world-africa-53379733

across the country, and change will not happen overnight' (Atit, 2020). Overall, while the reforms are positive for freedom or religion or belief, it is too early to tell whether the situation for minorities on the ground will improve and whether covid-19 will have an effect.

Nigeria

There are no official statistics on religious observance in Nigeria. However, it is thought that the Christian and Muslim populations are roughly equal in size, with a very small Animist minority (Tadros, 2020). While neither Muslims or Christians are minorities overall, both are minorities in different regions of the country. Shia Muslims constitute a minority within the Nigerian Muslim population. There are also a small number of atheists. With regards to its laws and policies on freedom of belief, Nigeria is listed as a 'country of particular concern' by the US Commission on International Religious Freedom.[10] Apostasy is criminalised and punishable by death (Special Rapporteur on Freedom of Religion or Belief, 2020, p. 6).

Religion and ethnicity are often intertwined in Nigeria (Birchall, 2020). Indigene status – whether someone is considered an 'indigene' of an area or an outsider – is also an important axis of conflict in Nigeria, particularly as indigene status is often granted at the discretion of local authorities (Birchall, 2020). Indigene/settler disputes often 'fall along religious lines' and politicians can manipulate tensions between such groups (APPG, 2020a). An example of the mixing of religion and ethnicity is relations between the Fulani herders and settled populations in the middle states of Nigeria. Conflict between the predominantly Muslim Fulani herders and predominantly Christian settled populations has escalated in recent years (Global Centre for the Responsibility to Protect, 2020). A recent report notes that Islamic extremism is one driver of this violence (APPG, 2020a). However, other interpretations highlight the role of climate and other factors.

There is no evidence that discrimination or abuses have increased because of covid-19. There is anecdotal evidence that the extremist non-state armed group (NSAG) Boko Haram is using the disruption caused by covid-19 to carry out attacks as the state becomes less able to provide security (Berman et al., 2020). There have been a number of recent reports of attacks on Christians and Shias (Christian Solidarity Worldwide, 2020; Shia Rights Watch, 2020). and Nigerian authorities continue to prosecute religious and belief minorities under its blasphemy laws (Humanists International, 2020a). **However, there is little evidence regarding what, if any, connection exists between covid-19 and the prosecutions and attacks.**

[10] https://www.uscirf.gov/countries/nigeria

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Key websites

- United Nations Special Rapporteur on freedom of religion or belief: https://www.ohchr.org/en/issues/freedomreligion/pages/freedomreligionindex.aspx
- Coalition for Religious Equality and Inclusive Development (CREID): https://www.ids.ac.uk/programme-and-centre/creid/
- Religion and Diplomacy: https://religionanddiplomacy.org.uk/
- Georgetown University Berkeley Center for Religion and World Affairs: https://berkleycenter.georgetown.edu/
- United States Commission on International Religious Freedom (USCIRF): https://www.uscirf.gov/
- International Panel of Parliamentarians for Freedom of Religion or Belief: https://www.ippforb.com/resources
- Freedom of Religion or Belief Learning Platform: https://www.forb-learning.org/
- Minority Rights International Group: https://minorityrights.org/
- WHO: https://www.who.int/ihr/about/en/
- OSCE: https://www.osce.org/odihr/covid-19

- Human Rights Watch: https://www.hrw.org/
- Amnesty International: https://www.amnesty.org.uk/

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About this report

This report is based on twelve days of desk-based research. The K4D research helpdesk provides rapid syntheses of a selection of recent relevant literature and international expert thinking in response to specific questions relating to international development. For any enquiries, contact helpdesk@k4d.info.

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